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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM

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OFFICIAL ROUTING SLIP

STATINTL

TO	NAME AND ADDRESS	DATE	INITIALS
1	7D35 Hqs.	OLC	
2			
3			
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6			
ACTION	DIRECT REPLY	PREPARE REPLY	
APPROVAL	DISPATCH	RECOMMENDATION	
COMMENT	FILE	RETURN	
CONCURRENCE	INFORMATION	SIGNATURE	

Remarks:

STATINTL

FOLD HERE TO RETURN TO SENDER		
FROM: NAME ADDRESS AND PHONE NO.		DATE
7D07 Hqs.	OGC	10/9/75
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1-67

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OLC 75-2557
OGC 75-3698
7 October 1975

STATINTL

MEMORANDUM FOR: [REDACTED], OLC

SUBJECT : S. 2068 and S. 2167 Relating to the Disclosure of Lobbying Activities

REFERENCES : A. Draft OLC Letter for DCI Signature, OLC 75-1798/b, dtd 22 September 1975

B. OGC Memoranda 75-2022 and 75-2021, dtd 28 May 1975
(Comments on S. 774 and S. 815)

1. In general, I concur with the approach taken in the referenced draft OLC letter with respect to the subject bills designed to regulate disclosure of lobbying activities. Indeed, your remarks are in many respects identical to those made in a previous letter to Congress from the DCI concerning similar bills. See referenced OGC memoranda.

2. I believe, however, that you should consider taking more strident opposition to these bills. Since Congress almost certainly is not after the types of activities in which the Agency is normally engaged, in this proposed legislation, Congress should be amenable to a suggestion that a specific exemption, if not of the Agency, then of the sensitive information which this Agency would like to protect, be incorporated in the bills. The language of such an exemption might take any one of a variety of forms. Consider the following:

Nothing contained in this Act shall be construed to require the disclosure of information which is prohibited or otherwise exempted from disclosure by law.

3. Similar language exists in the Freedom of Information Act in section 552(b)(3). Congress apparently considered non-disclosure of such information a reasonable exception to public access to information concerning the operation of the Government. By wording the exemption to the lobbying bills in general terms, it would be responsive to any changes in Agency statutory authorities which may be forthcoming.

4. It is up to your best judgment, of course, as to whether the suggestion of an exemption should be made in the letter or taken up directly with your counterparts in Congress.

STATINTL

Office of General Counsel